

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2339 of 2019

1. Chandrashekhar Ram S/o Shri Shankar Ram Aged About 36 Years Presently Working As Assistant Teacher (LB) At Meddle School Pandriaamba, Tahsil, Duldula, District Jashpur Chhattisgarh.
2. Vibhavati Badaik D/o Shri Chandu Ram Badaik Aged About 33 Years Presently Working As Assistant Teacher (LB) At Primary School Patratoli, Tahsil, Duldula, District Jashpur Chhattisgarh
3. Kiran Kumudni Kerketta D/o Shri Remish Kerketta Aged About 35 Years Presently Working As Assistant Teacher (LB) At Primary School Dharen, Tahsil, Duldula, District Jashpur Chhattisgarh.
4. Divya Madhuri Minj S/o Shri Samual Minj Aged About 37 Years Presently Working As Assistant Teacher (LB) At Primary School Judwain, Tahsil, Duldula, District Jashpur Chhattisgarh.
5. Poonam Xaxa D/o Shri Habil Ekka Aged About 34 Years Presently Working As Assistant Teacher (LB) At Primary School Chapatoli, Tahsil, Duldula, District Jashpur Chhattisgarh.
6. Rajendra Ram S/o Shri Ramcharan Ram Aged About 37 Years Presently Working As Assistant Teacher (LB) At Primary School Bangaon, Tahsil, Duldula, District Jashpur Chhattisgarh.
7. Sarita Tirkey S/o Shri Leyos Tirkey Aged About 37 Years Presently Working As Assistant Teacher (Lb) At Primary School Dandpani, Tahsil, Duldula, District Jashpur Chhattisgarh. ---- **Petitioners**

Versus

1. State Of Chhattisgarh Through The Secretary, School, Education Department, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. District Education Officer Jashpur, District Chhattisgarh.
3. Block Education Officer Duldula, District Jashpur Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Manoj Chauhan Advocate
For State	:	Mr. Saleem Kazi, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/04/2019

1. The limited prayer which the petitioners have sought in this writ petition is for a direction to respondent no.1 to take a decision on the claim of the petitioners for grant of two advance increments on their obtaining B.Ed./D.Ed. certificate both prior to appointment as well as

subsequent to the appointment which is being otherwise provided to the Govt. teachers.

2. The claim of the petitioners is based on the fact that the nature of duties discharged by them as Shiksha Karmis are identical and similar to the government teachers and their services have also now got merged with the Education Department. Therefore, the benefits which are being extended to the government teachers should also be extended to the petitioners.
3. Given the nature of dispute and also the fact that the claim of the petitioners would require a policy decision on the part of the State Govt., this court does not intend to keep the petition pending any further, rather ends of justice would meet if the petition is disposed of with a direction to respondents 1 & 2 to take a decision in this regard as to whether the petitioners would also be entitled for similar benefits as are being granted to the regular government teachers. It is ordered accordingly. Let this exercise be concluded within a period of 4 months from the date of receipt of certified copy of this order. It shall be the responsibility of the petitioners to bring the order of this Court to the notice of respondents 1 & 2 along with any fresh representation, if they so prefer.
4. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioners are concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
Judge